**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

FILED

APR 0 7 2025

**CLERK, U.S. DISTRICT COURT
TEXAS EASTERN**

JENNIFER RYAN,

    Plaintiff,

v.

PAYPAL INC.,

    Defendant.

CIVIL ACTION NO.: 4:22-cv-559

JURY TRIAL DEMANDED

MOTION FOR HEARING ON PENDING MOTIONS

TO THE HONORABLE BILL DAVIS, UNITED STATES MAGISTRATE JUDGE:

Plaintiff Jennifer Ryan, pro se, respectfully requests a hearing under Federal Rule of Civil Procedure 55(b)(2) to resolve her Motion for Default Judgment (Dkt. #60, filed March 31, 2025) and Memorandum in Support of Damages (Dkt. #63, filed April 2, 2025). PayPal Inc.'s 36-day silence on Plaintiff's Second Amended Complaint (Dkt. #49, filed February 24, 2025, due March 17) admits its facts (Rule 8(b)(6)), unexcused by the stay (Dkt. #25; *Klay v. UnitedHealthgroup, Inc.*, 376 F.3d 1092, 1102-03 (11th Cir. 2004)). Plaintiff's unaddressed motions (Dkt. #47, #50, #54, #57, #58, #59) and affidavit (Dkt. #64, filed April 3, 2025) reinforce this default, demanding judicial review over PayPal's late responses (Dkt. #65, #66, filed April 4, 2025). The clerk's 4-day delay since AFFIDAVIT in Support of Request for Entry of Default must end Monday, April 7, 2025.

1. Dkt. #47 (Ex. A-G), #50 (Ex. C1, D), #54 (Ex. 1-2), #57 (Ex. A-S), #58, and #59 (Ex. A)—unaddressed—prove:

    a. Collusion with FBI/FinCEN (Dkt. #49, Ex. G), tied to PayPal's leak (Ex. C1) and Plaintiff's raid (Ex. A).

b. Waiver via leaks (Dkt. #50, p. 4), 32-month litigation (Dkt. #54, p. 2), and fee refusal (Dkt. #57, p. 4; *Vine v. PLS Fin. Servs., Inc.*, 689 F. App'x 800, 803 (5th Cir. 2017); *Morgan v. Sundance, Inc.*, 142 S. Ct. 1708, 1714 (2022)).

c. Constitutional violations—First/Fifth Amendments (Dkt. #59, p. 3; *McDonald v. City of West Branch*, 466 U.S. 284, 292 (1984)).

d. PayPal admits 14 claims via 36-day silence on Dkt. #49 (¶¶ 13-30; Rule 8(b)(6)). These include: collusion, defamation, arbitration waiver (Section V), and imprisonment—with congressional proof (Ex. G).

2. Plaintiff's <u>Motion for Default</u> and <u>AFFIDAVIT in Support of Request for Entry of Default</u> (Dkt. #60 and #64) confirm PayPal's 36-day default (18 days past due) on the <u>Second Amended Complaint</u> (Dkt. #49), and Motion for Default Judgement, (Dkt. #60) predating the <u>Third Amended Complaint</u> (Dkt. #62, April 2, 2025)—even if Dkt. #62 resets clocks, Dkt. #49's default stands at $85M (¶ 30). Plaintiff's <u>Memorandum in Support of Default Judgment Damages</u> (Dkt. #63) seeks $185M (Ex. AA), but Plaintiff seeks higher damages at prove-up.

3. PayPal's motions (Dkt. #65, #66) ignore Dkt. #49's default, Dkt. #60, #63, and 14 admitted claims (¶¶ 13-30); their late claim in Dkt. #66 that Dkt. #49 was "improperly filed" fails—36-day silence triggered default before any excuse. Dkt. #65's merits arguments (e.g., no FBI/FinCEN link) and "frivolous" label on Dkt. #58, #59—filed 18 days past due—waive arbitration, contradicting their stay stance; Dkt. #66's strike isn't a response under Rule 12 (*Augustus v. Bd. of Pub. Instruction*, 306 F.2d 862, 868 (5th Cir. 1962)), with zero chance (*In re Mirant Corp.*, 613 F.3d 584, 591 (5th Cir. 2010)). The clerk's delay—4 days since <u>AFFIDAVIT in Support of Request for Entry of Default</u>, (Dkt. #64)—must end Monday, April 7, 2025.

WHEREFORE, Plaintiff requests:

1. A hearing to consolidate Dkt. #47, #50, #54, #57, #58, #59, #60, #63, and #64, and prove-up damages beyond $85M.

2. An order lifting the stay (Dkt. #25) and granting default judgment for $85M.

3. Immediate default entry under Rule 55(a) by Monday, April 7, 2025.

4. Further relief as just.

Dated: April 7, 2025

Respectfully submitted,

Jennifer L. Ryan
Pro Se Plaintiff
jennaryanrealty@gmail.com
469-491-0587

CERTIFICATE OF SERVICE

I certify that on April 7, 2025, I hand-delivered this Motion for Hearing on Pending Motions to the United States Courthouse, 7940 Preston Rd, Plano, TX 75024, for filing in Case No. 4:22-cv-559, and served it via CM/ECF to all counsel of record per Fed. R. Civ. P. 5 and Local Rule CV-5.

/s/ Jennifer L. Ryan